

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**DOUGLAS CHERRY, DR. LANCE )  
DYESS, IRA EDMONDSON, JIMMY )  
JONES, RACHEL MCKINNEY, LINDA )  
MIDDLETON, and VICTOR )  
STAFFORD, )**

**Plaintiffs,**

**Civil Action No.: 1:07-CV-923-MEF**

**AIG SUN AMERICAL LIFE )  
ASSURANCE COMPANY, f/k/a )  
ANCHOR NATIONAL LIFE )  
INSURANCE COMPANY, AXA )  
EQUITABLE LIFE INSURANCE )  
COMPANY, f/k/a THE EQUITABLE )  
LIFE ASSURANCE SOCIETY )  
OF THE UNITED STATES, )  
AXA DISTRIBUTORS, LLC, f/k/a )  
EQUITABLE DISTRIBUTORS, LLC., )  
KEMPER INVESTORS LIFE )  
INSURANCE COMPANY, )  
HARTFORD LIFE INSURANCE )  
COMPANY, and MAXINE )  
CHAPPELL, )**

**Defendants.**

**PLAINTIFFS' MOTION TO REMAND**

COME NOW the Plaintiffs, Douglas Cherry, Dr. Lance Dyess, Ira Edmondson, Jimmy Jones, Rachel McKinney, Linda Middleton and Victor Stafford, by and through their undersigned counsel, and move this Court to remand the above styled action to the Circuit Court of Houston County, Alabama. In support of this motion, Plaintiffs file their Memorandum of Support to Motion to Remand contemporaneously with this Motion.

Date: November 8, 2007.

Respectfully submitted,

s/ Peter H. Burke

Peter H. Burke (AST 1995-k74p)

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served upon the following listed persons via electronic filing using the Court's PACER system, and by placing a copy of same in the U.S. mail, first class postage prepaid and properly addressed on this the 8<sup>th</sup> day of November, 2007, as follows:

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